

A SUMMARY OF THE RIGHTS OF RESIDENTS OF DELAWARE NURSING HOMES AND RELATED FACILITIES



**DELAWARE HEALTH
AND SOCIAL SERVICES**

**DIVISION OF SERVICES FOR AGING AND
ADULTS WITH PHYSICAL DISABILITIES**

- ◆ The right to receive considerate, respectful, and appropriate care, treatment and services.
- ◆ The right to receive, prior to or at the time of admission, a written statement of the services provided.
- ◆ The right to receive a written itemized statement of charges and services.
- ◆ The right to receive from the attending physician complete and current information concerning the resident's diagnosis, treatment and prognosis.
- ◆ At the bedside of each resident, the facility shall place the name, address and telephone number of the physician responsible for the patient's care.
- ◆ The right to respect and privacy.
- ◆ The right to be free from restraints.

- ◆ The right to receive from the administrator and staff a timely, courteous and reasonable response to requests or grievances, in writing if requested.
- ◆ The right to receive, in writing, information as to any relationship the facility has with other healthcare or related institutions or service providers.
- ◆ The right to reasonable continuity of care.
- ◆ The right to associate or communicate with others without restriction.
- ◆ The right to manage his or her own financial affairs.
- ◆ The right to privacy in visits by his or her spouse.
- ◆ The right to privacy in his or her room.
- ◆ The right to present grievances or recommend changes to the facility staff, the Long Term Care Ombudsman or others.

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- ◆ The right not to have to perform service for the facility.
 - ◆ The right to retain and use his or her own clothing and personal possessions.
 - ◆ The right to not be transferred or discharged out of a facility except for medical reasons, the resident's own welfare or the welfare of other residents; or for non-payment of justified charges, and to be given 30 days advance notice, except where the situation is deemed an emergency.
 - ◆ The right to inspect all records pertaining to him or her.
 - ◆ The right to be fully informed of all rights and responsibilities.
 - ◆ The right to chose a personal attending physician.
 - ◆ The right to examine the most recent survey of the facility.

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- ◆ The right to receive information from agencies acting as client advocates and be afforded the opportunity to contact those agencies.
 - ◆ The right to be free from verbal, physical or mental abuse, cruel and unusual punishment, involuntary seclusion, withholding of monetary allowance, withholding of food, and deprivation of sleep.
 - ◆ The right to make choices regarding activities, schedules, health care and other aspects of his or her life.
 - ◆ The right to participate in an ongoing program of activities.
 - ◆ The right to participate in social, religious and community activities.
 - ◆ The right to receive notice before the resident's room or roommate is changed, except in emergencies, and to have the facility honor requests for room or roommate whenever possible.
 - ◆ The right to exercise his or her rights as a citizen of the State and the USA.

- ◆ The right to request information regarding minimum acceptable staffing levels as it relates to his or her care.
- ◆ The right to request the names and positions of staff members providing care to the resident.
- ◆ The right to request an organizational chart outlining the facility's chain of command for purposes of making requests and asserting grievances.
- ◆ Where a resident is adjudicated incompetent or determined to be incompetent by his or her attending physician, or is unable to communicate, his or her rights shall devolve to his or her next of kin, guardian or representative.

To receive an unabridged version of these Rights as they appear in the Delaware Code, or to register a complaint, contact the Long Term Care Ombudsman at 1-800-223-9074.